

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

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U.S. DISTRICT COURT  
N.D. OF ALABAMA

SOUTHERN DIVISION

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

GARY W. KINCY )

SSN: 435-17-0245 )

Defendant. )

CIVIL ACTION NO. 99-P-2146-S

ENTERED  
NOV 12 1999

FINDINGS AND CONCLUSIONS

This cause coming on to be heard on the written motion of Plaintiff, supported by affidavit, for Judgment by Default in favor of Plaintiff and against Defendant pursuant to Rule 55, Federal Rules of Civil Procedure, the Court makes the following findings and conclusions:

1. The Summons and Complaint were served upon Defendant on September 10, 1999; Defendant has failed to appear, plead, or otherwise defend.

2. Defendant is not an infant or incompetent person, nor has Defendant been in the military service of the United States since the filing of this suit or for a period of six months prior to such filing.

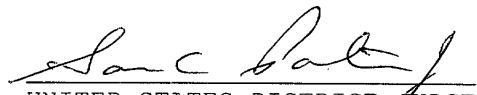
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3. Judgment was obtained by Chase Manhattan Bank due to the Defendant's failure to repay health education assistance loans as authorized under 42 U.S.C. § 294f and 42 CFR subpart 60.

4. Said judgment was entered by the Circuit Court of Monroe County, State of Florida on July 27, 1989, in the amount of \$21,467.40 principal, and \$84.50 Court cost; interest on said judgment at 12% per annum.

5. Said judgment was assigned to the United States of America, Department of Health and Human Services, on December 11, 1990 upon payment of the claim filed by Chase Manhattan Bank. Pursuant to Pub. L. 102-408 and 42 U.S.C. § 292f, said state judgment is due to be affirmed and entered for enforcement purposes in the United States District Court for the Northern District of Alabama. A judgment will enter accordingly.

Done this the 10<sup>th</sup> day of Nov., 1999.

  
UNITED STATES DISTRICT JUDGE